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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,345	12/21/2001	Daniel Dante Poblete	7784-000396	4997

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EXAMINER

VO, TUNG T

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/032,345

Applicant(s)

POBLETE, DANIEL DANTE

Examiner

Tung T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2, 3</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement (IDS) submitted on 04/09/02 and 04/07/03 have been considered.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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3. Claims 1-7, 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Monroe (US 6,545,601 B1).

Re claims 1, 10, and 11, Monroe discloses a surveillance system (fig. 13) adapted for use on a mobile platform (fig. 1) and adapted for communicating real time video of a desired portion of said mobile platform to a remotely located monitoring station, comprising:

at least one video camera (C1 of fig. 13) positioned on said mobile platform to view a desired area of said mobile platform and for generating output signals representing a video image of said desired area;

a radio frequency communications subsystem (82 of fig. 13) carried onboard said mobile platform for communicating said output signals to said remotely located monitoring system; and

a recorder subsystem (70 of fig. 13) located on board the mobile platform for recording said output signals for viewing later in time.

Re claim 2, Monroe further discloses wherein a plurality of video cameras are included for monitoring a plurality of areas within said mobile platform (54 of fig. 13).

Re claim 3, Monroe further discloses a distribution subsystem (76 of fig. 13) for transmitting said output signals from said video camera (C1-CN of fig. 13) to said radio frequency communications subsystem (82 of fig. 12).

Re claim 4, Monroe wherein said radio frequency communications subsystem operates to receive camera control commands from said remotely located monitoring station (82 of fig. 12, note receiving the camera control from a remote location as a ground control center); and wherein said system further comprises a video control unit (241 of fig. 13, note controlling all

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units) for receiving said camera control commands and using said camera control commands to control operation of said video camera.

Re claim 5, Monroe further discloses wherein said system comprises a video control unit (241 of fig. 12) which acts as an interface between a plurality of said cameras (col. 22, lines 1-56).

Re claim 6, Monroe further discloses wherein said system comprises a video control unit which provides said video cameras with electrical current and electrical current surge protection (col. 6, lines 38-40 and col. 23, lines 15-20).

Re claim 7, Monroe further discloses a computer server (95 of fig. 9) capable of storing said signals from said video camera using a suitable electronic storage device.

Re claim 9, Monroe further discloses wherein said control commands transmitted to said video camera instruct said camera to perform at least one of the functions: pan, rotate, and zoom (504 and 504 of fig. 4b).

4. Claims 1-6, 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Monroe (US 6,366,311 B1) see figures 5 and 12.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe (US 6,545,601 B1) in view of Myrick (US 5,045,937).

Re claim 8, Monroe teaches the cameras (C1-Cn of fig. 13) having a NTSC standard but not color cameras. However, Myrick teaches two color cameras (1, 2, 14 of fig. 1) for capturing a color image. Therefore, taking the combined teachings of Monroe and Myrick as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the color cameras (1, 2, 14 of fig. 1) of Myrick into the system of Monroe for the same purpose of capturing the color image. Doing so would allow the operator to view the exact image captured by the color camera.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Monroe (US 6,009,356) discloses a wireless transducer data capture and retrieval system for aircraft.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung T. Vo whose telephone number is (703) 308-5874. The examiner can normally be reached on 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Primary*  
**TUNG T. VO**  
**PATENT EXAMINER**  
T.VO

Tung T. Vo  
Primary Examiner  
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